

EXHIBIT #8
DATE Feb 9th
306

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January 26, 2011

Chairman and Members
State Administration Committee
House of Representatives
Montana State Legislature
Capitol Station
PO Box 200400
Helena, MT 59620-0400

Re: House Bill No. 306

Dear Friends:

House Bill 306 would repeal the requirement that every notary must keep a journal including the date, type of notarial act, type of document, and the name, address and signature of the individual for whom the notarization was performed. I think this would be a mistake. Even though it is a hassle at times and takes longer to notarize a signature, it can be very helpful.

Without a journal, notaries tend to bend the rules and sometimes are simply not reliable. With a journal, if there is ever an issue, we can simply look at the journal to verify the information. Most of the issues are dates - back dating documents is often attempted and a journal is the only way to make sure that does not happen.

At least twice I have had an issue with notaries. Years ago the issue of the accuracy of a notarization on a legal document was subject of a jury trial. Had the requirement for a journal been in existence at that time, the entire case could have been avoided. More recently, I have run into another case in which there is a question raised about the accuracy of the date on the notarization. That matter is still pending.

Consequently, I oppose House Bill 306 and would urge you not to pass it.

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HELENA MONTANA
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CLERK OF STATE
JENNIFER MCCULLOCH